

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOEL RAYMOND RUTH,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

CIVIL ACTION NO. 09-2074

ORDER

AND NOW, this 31st day of May, 2011, upon careful consideration of plaintiff Joel Raymond Ruth's request for review and the Commissioner's response thereto, and after careful and independent review of the magistrate judge's report and recommendation, plaintiff's objections thereto, and the Commissioner's response, **IT IS HEREBY ORDERED** that

1. plaintiff's objections are **SUSTAINED IN PART** and **DENIED IN PART**;
2. the conclusions in the report and recommendation of the United States Magistrate Judge are **APPROVED AND ADOPTED IN PART** and **DENIED IN PART**;
3. plaintiff's request for review is **GRANTED** to the extent that the matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the accompanying memorandum, and **JUDGMENT IS ENTERED REVERSING** the decision of the Commissioner for the purposes of this remand only; and

4. the clerk shall **CLOSE** this case for statistical purposes.

/s/William H. Yohn Jr., Judge
William H. Yohn Jr., Judge